

in line 43 after the word "court" insert the following: ", providing".

THE PRESIDENT: The amendment is submitted by Delegate Carson. Is there a second?

*(Whereupon, the amendment was duly seconded.)*

THE PRESIDENT: The amendment having been seconded, the Chair recognizes Delegate Carson.

DELEGATE CARSON: Mr. Chairman, ladies and gentlemen, the amendment before you is strictly one of style and not one of substance, although I believe the Style Committee has created a substantial change in this section.

This section is intended to make it clear that a person shall not be imprisoned for debt, but to create within the section at least two exceptions and only those exceptions to the imprisonment for debt.

One is if you have a valid decree of a court providing for support for a wife, dependent children, illegitimate children, or for alimony, and the other case is one in which you have an agreement which is embodied in a valid decree and ratified by it and which also provides for those things.

Now, if you will read the section as it is now written, it does not say that. It says that any valid decree of a court, which might include a monetary judgment, would not be a debt. In addition, it says that any agreement approved by a decree which provides for support of a wife, dependent children, illegitimate children or for alimony is not a debt, so this is a technical amendment to straighten out and make clear that the words "for the support of a wife" through "or for alimony" relate to a decree of a court or also an agreement approved by a decree of a court.

THE PRESIDENT: Delegate Carson, it may be clear to you that the amendment accomplishes what you intend, but it is far from clear to the Chair.

Would you not also, to get the clarity you want, have to add a comma after the word "court" in line 41? If you did that, would you not be able to get everything you want with the addition of the two commas, and nothing else?

DELEGATE CARSON: Mr. Chairman, you will note that the first part of my amendment is to add a comma after the word "court" in line 41.

THE PRESIDENT: I missed that.

DELEGATE CARSON: The second part is to add a comma in line 43, and then after it add "providing". I think the word "providing" is somewhat helpful.

THE PRESIDENT: Delegate Sollins.

DELEGATE SOLLINS: Mr. President, Delegates Smith, Marion, Rybczynski and I have Amendment X which I think will clear this up. We would like to offer it as a substitute for Delegate Carson's amendment. It is the amendment lettered "X".

THE PRESIDENT: The pages will please distribute Amendment X, X for X-ray, and please get one to Delegate Carson first, if you will, please.

Delegate Carson, would you look to see if you would be satisfied to accept that as a substitute?

DELEGATE CARSON: Mr. Chairman, I do not think this does it. I think this just makes it clear that there are two different things involved, one of which is a valid decree of court and the second of which is an agreement approved by decree of a court providing for these various measures.

THE PRESIDENT: I am inclined to agree, Delegate Sollins, I think your amendment makes it worse rather than better. I think the "either" would refer to the obligation. Under the circumstances, do you still desire to offer your Amendment X?

DELEGATE SOLLINS: Not at this time, Mr. President.

THE PRESIDENT: Delegate Carson.

DELEGATE CARSON: May I ask Mr. Sollins if he will now agree to accept mine, please?

DELEGATE SOLLINS: I do not think yours clears it up, either.

THE PRESIDENT: Delegate Kiefer.

DELEGATE KIEFER: Mr. President, I do not think we are quarreling about substance. We are trying to get something straightened out here. I do not believe that Delegate Carson's really does this, but if the Convention will agree with me that the cases are clear that a decree by a court, not based on agreement, but for alimony, or for support of children, or for support of illegitimate children, are within the police power and are not covered by this, then I believe that if you cross out line 41, the words "a valid decree of a court," so that it reads "but no obligation created by an agreement approved by decree of a court for the support of a wife